



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard A. Steenblik and  
Paula H. Steenblik

Serial No.: 09/826,032

Filed: April 3, 2001

For: LENSES AND USES,  
INCLUDING MICROSCOPES

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on June 18, 2001, and in an abundance of cooperation, Applicants enclose a substitute specification in compliance with 37 CFR 1.52. The enclosed substitute specification is identical to the specification as originally filed on April 3, 2001, which Applicants believe was also in compliance with 37 CFR 1.52, and accordingly, it is unclear why a substitute specification is being required. To the extent that this objection is maintained, Applicants respectfully request a more detailed explanation about why the specification submitted herewith is unacceptable, and Applicants will make every effort to comply.

Respectfully submitted,

Kristin D. Mallatt  
Reg. No. 46,895

Date: September 18, 2001

KILPATRICK STOCKTON LLP  
Suite 2800, 1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
(404) 815-6147

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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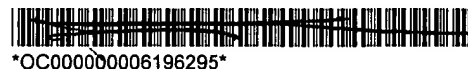
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/826,032         | 04/03/2001          | Richard A. Steenblik  | 40669/201349           |

23370  
JOHN S. PRATT, ESQ  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309



CONFIRMATION NO. 3794

## FORMALITIES LETTER



\*OC000000006196295\*

Date Mailed: 06/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Papers contain improper margins. Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")

09/20/2001 HVUONG1 00000026 09826032

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65.00 DP

A copy of this notice MUST be returned with the reply.

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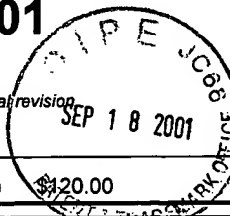
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DOCKETED FOR 8/18/01 CR  
201349A

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.



Complete if Known

Application Number 09/826,032  
Filing Date April 3, 2001  
First Named Inventor Richard A. Steenblik  
Examiner Name  
Group / Art Unit  
Attorney Docket No. 40669/201349

TOTAL AMOUNT OF PAYMENT (\$)

\$120.00

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

11-0855

Deposit Account Name

Kilpatrick Stockton LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     |          |
| 106            | 320             | 206            | 160             | Design filing fee      |          |
| 107            | 490             | 207            | 245             | Plant filing fee       |          |
| 108            | 710             | 208            | 355             | Reissue filing fee     |          |
| 114            | 150             | 214            | 75              | Provisional filing fee |          |

SUBTOTAL (1)

(\$)

### 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | X            |                |          |
|              |                    |                    | X            |                |          |
|              |                    |                    | X            |                | 0        |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  |
|----------------|-----------------|----------------|-----------------|--|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                     |
| 102            | 80              | 202            | 40              | Independent claims in excess of 3                          |
| 104            | 270             | 204            | 135             | Multiple dependent claim, if not paid                      |
| 109            | 80              | 209            | 40              | ** Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 65.00    |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for reexamination                                     |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                        |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                     | 55.00    |
| 116            | 390             | 216            | 195             | Extension for reply within second month                                    |          |
| 117            | 890             | 217            | 445             | Extension for reply within third month                                     |          |
| 118            | 1,390           | 218            | 695             | Extension for reply within fourth month                                    |          |
| 128            | 1,890           | 228            | 945             | Extension for reply within fifth month                                     |          |
| 119            | 310             | 219            | 155             | Notice of Appeal   |          |
| 120            | 310             | 220            | 155             | Filing a brief in support of an appeal                                     |          |
| 121            | 270             | 221            | 135             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,240           | 241            | 620             | Petition to revive - unintentional   |          |
| 142            | 1,240           | 242            | 620             | Utility issue fee (or reissue)   |          |
| 143            | 440             | 243            | 220             | Design issue fee   |          |
| 144            | 600             | 244            | 300             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions to the Commissioner  |          |
| 123            | 130             | 123            | 130             | Petitions related to provisional applications                              |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                  |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per property (times number of properties) |          |
| 146            | 710             | 246            | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149            | 710             | 249            | 355             | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179            | 710             | 279            | 355             | Request for Continued Examination (RCE)                                    |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 120.00)

## SUBMITTED BY

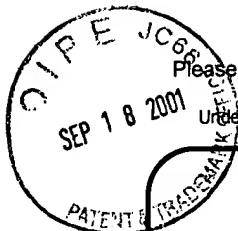
Complete (if applicable)

|                   |                        |                                  |        |           |                    |
|-------------------|------------------------|----------------------------------|--------|-----------|--------------------|
| Name (Print/Type) | Kristin D. Mallatt     | Registration No. Attorney/Agent) | 46,895 | Telephone | 404.815.6147       |
| Signature         | <i>Kristin Mallatt</i> |                                  |        | Date      | September 18, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Please type a plus sign (+) inside this box ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                             |  |
|---|-----------------------------|--|
| <b>TRANSMITTAL<br/>FORM</b><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 09/826,032                                 |
|   | <b>Filing Date</b>          | April 3, 2001                              |
|   | <b>First Named Inventor</b> | Steenblik                                  |
|   | <b>Group Art Unit</b>       |  |
|   | <b>Examiner Name</b>        |  |
| <b>Total Number of Pages in This Submission</b>   |                             | <b>Attorney Docket Number</b> 40669/201349 |

### ENCLOSURES (check all that apply)

|  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input checked="" type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br><b>Declaration for Patent Application</b><br><br><b>Substitute specification</b><br><br><b>Notice to File Missing Parts of Nonprovisional Application</b> |
| <b>Remarks</b>   |  |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                                |                                     |
|--------------------------------|-------------------------------------|
| <b>Firm or Individual name</b> | Kristin D. Mallatt, Reg. No. 46,895 |
| <b>Signature</b>               | <i>Kristin Mallatt</i>              |
| <b>Date</b>                    | September 18, 2001                  |

### CERTIFICATE OF MAILING

|  |                        |             |                    |
|--|------------------------|-------------|--------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail Label No. EL209598992US in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 |                        |             |                    |
| <b>Typed or printed name</b>   | Angela M. Rossi        |             |                    |
| <b>Signature</b>   | <i>Angela M. Rossi</i> | <b>Date</b> | September 18, 2001 |

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